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A

COLLEGE EXERCISE,

Delivered *December* 16, 1765.

He that would ſerve his country effectually, muſt root out, and caſt from him, every paſſion and diſeaſe of his own mind. HIEROCLES.

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Delivered *December* 16, 1765.

WERE I to indulge my fancy concerning the *perſons*, who may probably meet in an enſuing great aſſembly; and the *reaſonings* that may then be uſed, in caſe a *certain queſtion* is ſtarted: I ſhould ſpeculate to this effect.

I would ſuppoſe, that the *perſons*, there to be convened, may be diſtinguiſhed into four ſorts; *viz.* the *good*, the *bad*, the *ins*, and the *outs*. By the *good* I would mean thoſe who are *deſirous to ſerve* their country; and are bleſſed with ſuch a meaſure of *knowledge*, and *integrity*, that they *can*, and *dare* do it. And of this ſort I am apt to think there will be more than either

ſplenetic perſons, or politicians uſually, are willing to allow. I think I could produce the teſtimony of three fourths of the kingdom, that there will certainly be three ſuch; and perhaps, a round dozen: and it will be granted me, that *no name is too great*, for the epithet of *good*. Nay, I am perſuaded there will be many whom, to our loſs, we don't know: who, like virgin ore, are ſterling in the mine; and want only day-light, to be reſplendent.

Of the ſecond ſort, *viz.* the *bad*, it will be granted me, that if there be one, there will be too many: and how few ſoever, if there be any, they will be formidable; from the known activity of their principle. Such are the children of this world, who are wiſer in their generation than the children of light! If it were poſſible for an *emiſſary of France* to ſteal into ſo auguſt an aſſembly, I ſhould not ſcruple to rank him in this ſecond claſs; for he is not an *open enemy*. And à fortiori, if any *native* of theſe kingdoms, which God forbid! ſhould be capable of acting deſignedly in *that capacity*; I would give him a *diſtinguiſhed place* alſo. Nay I ſhould be apt to call him a bad man, who is blinded by any private intereſt: or who, even for want of due information concerning the queſtion before him, or, of temper

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in managing it, ſhould give advantage to the enemies of his country.

But, (to quit an unpleaſant ſubject,) the third claſs, *viz.* the *ins*, may include a Miniſtry, with all ſuch as are attached to them, merely becauſe they are in place, and power. Theſe are a ſort of deities of whom I have no knowledge! I am convinced I am not intituled to blame the preſent, as a body, for overt acts. And, perhaps, their future praiſe, or diſpraiſe; their inrollment into the firſt or ſecond of the foregoing liſts, will depend upon their behaviour on a certain occaſion. I have a pleaſure in thinking they will riſe to the firſt, the *claſs of the great and good:* but it requires little conjuration to ſay, that they will be abhorred by poſterity, if they ſhould enroll in the ſecond. In general, the caſe of Miniſters is to be lamented; that men will needs ſuppoſe them all to have a leſſon, which they muſt practiſe, though it be not always for the public good. May the preſent Miniſtry, and may all future Miniſters ſhow, that this is a mere ſlander!

The fourth claſs that I diſtinguiſhed, was the *outs*; which may be ſuppoſed to be very numerous; and I ſhould think, that every perſon in it may be conſidered *not merely* as a can-

a candidate for the *third* claſs; but alſo, for *either* the *firſt*, or the *ſecond*. Sure I am, that the preceding three claſſes will comprehend them all.

It is the goodneſs of providence which has not pleaſed to intruſt man with the diſtinguiſhing ſpear of *Ithuriel*. For we can ſuppoſe it would be an infinite pain to know the black hearts, and like-complexioned deeds of thoſe about us! The ſad effects of inattention, appetite, habit, and a falſely ſuppoſed neceſſity, are better hid behind the veil; 'till a new principle takes place in the man, and brings him back to bounds exceeded! And perhaps there are few men, even of ordinary underſtandings, but find pain enough in ſeeing and hearing the evil that comes unſought for before them. Our ſenſes and our reaſon are keen enough for every uſeful purpoſe. And as the ſuppoſed queſtion, concerning the Colonies, is perhaps the weightieſt that was ever debated in any aſſembly ſince empire began: let us exerciſe thoſe weapons, in reducing any actors in ſuch a debate, to their reſpective primary claſſes.

It ſhould ſeem, that the ſuppoſed queſtion of t—x—g the Colonies may be debated either upon the *general principles of government*;

ment; or, from *particular reſemblances*, and *analogy*.

With regard to the firſt, we have reaſon to approve that mode of argumentation, ſo long as we ſuppoſe the age regardful of *civil*, as well as *moral principles*; and every man actuated with, and acting by them. ——For ſuch men are poſſeſſed of the rule and ſtandard, to which the ſuppoſed, or real, merit of the queſtion will quickly be brought; and ſoon determined. Such will be above the ſcruple of form; and will not, from the lower analogy of the *common* law, ſtand inquiring whether a petition can be received, (which, well wire-drawn, may be made to imply an exception to the juriſdiction of the court) ſo long as there remains *one grievance unredreſſed*. For the man whom I would call good, well knows, that it is *every Engliſhman's right to petition* for redreſs of grievances, whether real or imaginary: And that there are but *two courts in this K--gd--m* to petition; *viz.* the *real* court of the Nation, and the *perſonal* court of Parliament; and that this latter is a *delegated court*, which, as it is appointed ſhortly to meet; ſo alſo, in no long ſpace of time now, it will undergo a diſſolution. I am perfectly clear, as I hinted before, that no *Frenchman*, whether of *birth or principle*, can act

in ſuch a debate. But if it were poſſible, he would certainly *act conſiſtently*, in rejecting the matter with a high hand. He muſt inſiſt, that no petition againſt the ſtamps is admiſſible: and inſinuate that the colonies are the ſcum of the earth; a ſet of mutinous wretches; the ſons of their fathers! Nay, he would uſe every argument, but the very words, to produce an appeal to the *commonwealth*, or *real court of the nation*: for the intent of his *miſſion* muſt be to ſet the *commonwealth by the ears*; and then to employ the preparations that perhaps are making, to invade you.

I ſuppoſe there are good hopes that no miniſter in *place*, or *power*, will think himſelf obliged to adopt the reaſonings of the enemies of his country, in order to puzzle the cauſe; or throw dirt at any that may be *out of place*: and of this latter denomination, the beſt will be glad to hear the calm and deliberate ſentiments of their country; and not be affected if a meaſure, that was once held to be right, ſhould upon re-examination be found to be not expedient. For all good men will ſupport them in this propoſition; that the colonies ought to *contribute in a rational way*, to the ſupport of government: and ſurely it is not a capital

affair, to differ, or even to be miſtaken, in ſketching out the *mode* of it.

But it is time to come to the *ſecond topic*, upon which the ſuppoſed queſtion may be debated: *viz.* that of *ſimilitude, or analogy*. And this may be either *foreign*, or *domeſtic*; and *each* of theſe will be both *antient*, and *modern*.

I ſhould conceive, that the example of *foreign* countries, whether *antient* or modern, can be *nothing to the purpoſe*; unleſs it were poſſible to bring them from governments like our own. The ſtates of *Greece*, and of *Rome*, ſeem to have been the only ſtates of antiquity in which there was any *talk of liberty*; but this liberty was explained to be only in a *ruling party*; which was called *People*, or *Betters*, or *Monarchs*, according to the ſpecies of government: and though there are inſtances alſo of *mix'd monarchies*, amongſt the ancients; yet I will be bold to ſay, that neither theſe, nor any of the former, proceeded upon principles of *univerſal liberty*. As a proof of this, they all had their *ſlaves* and *vaſſals*, and what elſe they *pleaſed*; who were not ſuffered to wear even the name of Citizens, or to be conſidered as part of the commonwealth. And this is clear from *Ariſtotle*, the ſoundeſt politician of antiquity:

and abundantly clear from the *Roman* authors. *Juſtinian*, tyrant as he was, ſeems to have given the firſt blow to ſlavery, by reducing the various ſubordinations of men made free, (who were gradations of vaſſals) to one only. But he was far from completing the ſtroke: witneſs the later governments of *Europe*, founded principally upon his plan; and governed, in a manner, by his laws.

I ſuppoſe, therefore, that all good men will enter a *proteſt againſt ſuch* analogy, or examples: eſpecially when they conſider, that the Coloni, with the *Romans*, were originally farmers, or huſbandmen, who tilled the ground; and even in *Italy* were *not uſually full members of the commonwealth*. And therefore it is no wonder that the Coloniæ, which were alſo tillers of ground, and often conquered enemies, who by a ſound policy were made to migrate in bodies to other places, were not 'till late, and by way of extraordinary favour, endowed with the rights of *Roman citizens*; and that, *never entirely*. But leſt I ſhould ſeem to affirm vaguely, and upon fancy; I will ſubjoin a brief ſummary of their nature, differences, and rights, as I find them collected by *Struvius*.

" Coloniæ ex civitate Romana quaſi propagatæ ſunt, et jura inſtitutaque omnia populi

populi Romani, *non ſui arbitrii*, habent. Romulum iſtæ auctorem produnt, qui in agrum hoſtium devictorum colonos mittere inſtituit. Sequenti tempore coloniis deducendis conſtituti triumviri, & quatuorviri, iidemque comitiis tributis deſignati: & quidem in certos annos eorum poteſtas fuit definita. Quod ſi igitur nova colonia deducenda, numerus colonorum definiebatur, & juſſi nomina dare qui agros accipere vellent. Exinde orta lex agraria, quæ Spurio Caſſio conſule A. U. C. 268 promulgata, nunquam deinde ſine maximis motibus fuit agitata. Colonia per duumviros, ſub vexillo, ex urbe ducebatur; qui & aratro urbem, agrumque, circumſcribebant. Singulis colonis certa jugera aſſignabantur. Ipſis triumviris copia apparitores, cum reliquo apparatu aſſignabantur. *Diſtinguebantur* autem coloniæ, ut aliæ eſſent *Latinæ*, aliæ *civium Romanorum*. Illæ *jus* tantum *Latii* habebant; ideoque *cives Romani*, ſi in *colonias Latinas* adſcripti, jus *civitatis amittebant*. *Hæ* autem *jura* quidem *civium Romanorum* habebant, ſed *privata tantum*; *nec cenſûs*, *nec ſuffragii jura*. Belli tempore milites, ex formula, dare tenebantur: ordinabantur autem eorum tum ſacra, tum civilia, per curatores agrarios, qui illis decuriones, augures, & pontifices conſtituebant. *Cenſus quoque per juratos cenſores*, ex formulâ, in coloniis agebatur. Senatum in coloniis conſtituebant

ſtituebant decuriones. Ex horum ordine ſumebantur magiſtratus, quales erant decemviri, vel quatuorviri, vel ſeviri, qui alternis vicibus regebant; & juri dicundo præerant. Prætores etiam aediles, & quæſtores magiſtratus eorundem erant proprii. Legibus utebantur Romanorum; licet & ſuo jure peculiari uſæ, à triumviris lato. Habebant iſtæ quoque ex *illuſtribus Romanis* ſuos *Patronos*, ex inſtituto Romuli, qui *cauſam illorum in ſenatu agerent*.

(Struvii Hiſtor. jur. p. 129, 130, ubi plur.)

And now at length we are come to *our own country*; the government of which, being almoſt the only government in the known world founded upon the principles of univerſal liberty; and wherein ſlavery, and even vaſſalage, at length, is aboliſhed by law: *reſemblances*, if any can be found, would be moſt *appoſite*; and conſequently, the *argument from analogy* moſt *ſtrong*.

It is very clear to me, that as our colonies are *not the colonies* of *antiquity*: ſo *neither* are they the colonies of *any modern nation*, our *own excepted*. And were I of the Britiſh colonies, I ſhould be vaſtly inclined to drop even the name of coloniſt; and to ſtyle myſelf an *Engliſhman*, or *Briton*, of *North America*. They are our own fleſh

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and blood; and if one may judge either from their *underſtanding*, their *courage*, or their *generoſity*, ſome of the beſt amongſt us. I ſuppoſe I don't exceed when I ſtate the number of them, excluſive of the late conquered provinces, at two millions of ſouls, which are perhaps a fourth part more than Scotland, and equal in number to *Ireland*; and near a third part of the whole number of ſouls in England. I don't pretend to be correct in theſe numbers: but ſure I am, I don't exceed: and I may be allowed to add to this ſum, the people of the new acquired countries; and to remark in general, that the tract of land to which they ſeem to be intitled, is more than equal to two thirds of all *Europe*, put together; and may one day conſtitute the greateſt empire in the world; when we of this iſland ſhall be ſunk into ignorance, ſlavery, and barbarity, after our elders and our betters, the Aſſyrians, Perſians, Greeks, and Romans. The idea of ſuch an empire, though it were advanced no farther than an embryo, ſurely deſerves to have ſome reſpect ſhewn to it; and even to have a ground of laſting friendſhip laid between us: and I ſuppoſe we ſhall not do it too great a favour; if we conſider it at preſent, upon the footing of the neighbouring kingdoms of Ireland, and of Scotland; and from thence draw our analogy.

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In ſpeaking of Ireland, it may be well to uſe words that are of more authority than our own. A learned commentator upon the Engliſh law, ſays, that "Ireland is *ſtill a diſtinct kingdom*; though a dependent, ſubordinate kingdom——that in general, it agrees with England in it's laws——that the *inhabitants* are for the moſt part *deſcended* from the *Engliſh*, who *planted it as a kind of colony*, after the *conqueſt* of it by Hen. II. at which time they carried over the Engliſh laws along with them.—And as Ireland thus *conquered*, *planted*, and *governed*, ſtill continues in a *ſtate of dependence*; it muſt neceſſarily conform to, and be obliged by ſuch laws as the ſuperior ſtate thinks proper to preſcribe." At the ſame time, "Ireland hath *a parliament of its own*, and makes and alters laws; and *our ſtatutes do not bind them, becauſe they do not ſend repreſentatives to our parliament*. But their perſons are the *king's ſubjects*, like the inhabitants of *Calais*, *Gaſcoigny*, and *Guienne*, whilſt they continued under the king's ſubjection.——It is true Poyning's law (10. H. 7.) enacts, that all acts of parliament before made in England, ſhould be of force within the realm of Ireland. But it follows, that no acts of the Engliſh parliament made ſince 10. H. 7. do now bind the people of Ireland; unleſs ſpecially named, or included under general words:

words: and on the other hand it is equally clear, that where Ireland is particularly named, or is included under general words, they are bound by ſuch acts of parliament." The declaration of 6 Geo. c. 5. is expreſs, "That the *kingdom of Ireland* ought to be ſubordinate unto, and dependent upon the imperial crown of *Great Britain*, as being inſeparably *united* thereto: and that the King's Majeſty, with the conſent of the lords and commons of *Great Britain* in parliament, hath power to make laws to bind the people of Ireland."

This in general: as to the particular branch *of raiſing money among the Iriſh*, I need not ſay what is the practice; and I ſuppoſe the Britiſh colonies would not object greatly to it. They would ſurely be content, and it is likely they will expect, that their *aſſemblies*, (which ſeem to be *parliaments* to all intents and purpoſes,) ſhould be allowed to tread after the Iriſh parlialiament, in this eſſential act of freewill; as well as in certain ſteps of legiſlation. Our American children, being now grown to a ſtate of *adoleſcence*; are grown to a *will of their own:* and, when they become men, it is probable they will exert it. In the mean time, if we are wiſe parents, we ſhall endeavour to direct their will to our mutual

intereſt.—But enough of Ireland; and perhaps too much of the law concerning her, unleſs it were more conſiſtent with itſelf: and to ſave time, I will ſuppoſe it is in any one's power, (that pleaſes) to compare theſe outlines, with what the ſame author ſays of the *American colonies*. (Vide Blackſtone's Comment. p. 104, 105. join p. 93—102.) for I muſt haſten to pay my compliments to the twin ſiſter of Ireland, the *bonny* SCOTLAND.

I hope the antient kingdom of Scotland will not be offended with an admirer of her virtues, who is about to compare her with the modern kingdom of North America. The former may be likened to a virgin at *her full age*, who being poſſeſſed of a fair inheritance, actuated by reaſon, and deſirous of peace, ſecurity, and a happy offspring, hath wedded herſelf to a rich and powerful neighbour; and conſequently joined his intereſt with her own. The latter is a girl *entering into her teens*, heireſs to immenſe poſſeſſions, who will be tempted to flirt with the whole herd of political fops; and perhaps, may chooſe the leaſt deſerving for a partner; or elſe may pine away, in a fop-blown celibacy: whereas her guardians, if they are attentive to their duty, will rather

rather think of marrying her betimes into her own family.

Allegory apart! I beg leave to ſubmit my opinion, whether the *American colonies, and the kingdom of Ireland*, ought not to be incorporated (both of them) with *Great Britain* without delay? and whether they are not intitled to as many of the twenty-five Articles of Union, as are ſuited to their reſpective circumſtances?---Can we ſuppoſe, that our inveterate enemies the French, nay the whole Roman pale, are ſo blind as not to ſee where we are vulnerable? Was there not a time when they actually *bargained* for Ireland? and have they not often *played upon us* the notion of the independency of Ireland? What has ſince expelled them Scotland, but the arms of Great Britain exerted under a *parliamentary union?* and what but an *equitable and parliamentary union*, can prevent North America from ſtruggling for a rational independency? and may not, nay will not, our enemies avail themſelves of any ſtruggle; perhaps, to our deſtruction? Were I an American, I would endeavour an union; were I an Iriſhman, I would beg it; as I am an Engliſhman, I pray for it.

And, ſurely, there is no difficulty in the affair. Is it not in the power of the crown to effect it? Has not his Majeſty a right to the advice of the whole community? and is he not able, jointly with his parliament, to call to this, his great council, *additional repreſentatives*, upon an equitable plan; who may thenceforward be, and continue, one with the whole?

The feaſibility with reſpect to Ireland, has already been proved, in times which are not without inſtructive examples. And ſuppoſe, (which I mention with entire ſubmiſſion, and only to excite a better, and more rational ſcheme,) ſuppoſe, I ſay, under the bleſſing of Providence, a *limited number*, viz. thirty or forty reſpectable perſons, from the ſeveral provinces and capital towns of America, and a ſuitable number from Ireland, were now called to the Houſe of *Commons*; and one third of that number, to be alſo *limited by parliament*, were called to the Houſe of *Lords*; and every one meet, as there is no doubt they would, upon an *honeſt plan*: what Frenchman, nay what demon, could obſtruct an union, or blaſt the proſperity of united empire?

As the matter now ſtands, are we not a jumble of diſcordant atoms, in a ſtate of primeval

primeval chaos, without form, and void even of the firſt principle of *civil exiſtence*, which is *unity* of commonwealth? But when that darkneſs which ſeems to dwell upon the face of our deep, ſhall be ſcattered by the breath of Wiſdom; will not truth and order, and the all benignant ſun of liberty burſt forth, and actuate the maſs? Are not *civil and religious liberty*, the ſun of the rational world, which hath been eclipſed by the magicians of the earth, in its progreſs to the weſtern hemiſphere? and ſhall we, who have been bleſſed with a genial ray, conſent to ſpread the horrid veil on the face of a new world, planted by our own children, watered with our own blood, and ready to burſt forth into a moſt fragrant ſpring, with all it's hopeful train of bleſſings?

What will any *family* compact, which with the iron hand of tyranny graſps even mighty nations of ſlaves, avail againſt a *national* compact of free men, acting in the form of a mixed monarchy? Nay, were we to ſuppoſe France and Spain in a ſtate of freedom, (which may one day be the caſe;) what would they be, meaſured againſt the united kingdoms of the Britiſh Iſlands, and North America? Is not nature againſt France

France and Spain? Is not their ſituation againſt them? and do not facts enable us to ſay, that with regard to empire, their ſtar is ſet; to riſe no more, if virtue be not wanting on our part?

But it is time have done,

DIXI.

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